

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSEPH WILSON,

Plaintiff,

v.

1:15-cv-00853-MV-LF

PAUL HINKS, RICHARD WESTBURY,
SYMBION POWER, HART INTERNATIONAL,
And its successor CHELSEA HOLDINGS,

Defendants.

and

SYMBION POWER LLC,

Counterclaimant,

v.

JOSEPH WILSON,

Counterclaimant-Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED
FINDINGS AND RECOMMENDED DISPOSITION**

The magistrate judge filed her Proposed Findings and Recommended Disposition on April 14, 2016 (Doc. 26). The proposed findings notified parties of their ability to file objections within fourteen (14) days, and that failure to do so waives appellate review. To date, no objections have been filed, and there is nothing in the record indicating that the proposed findings were not delivered.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The magistrate judge's Proposed Findings and Recommended Disposition (Doc. 26) is ADOPTED;

2. Plaintiff's Motion for Entry of Default Judgment as to Paul Hinks (Doc. 8) is DENIED;
3. Defendant Paul Hinks' Motion to Set Aside Clerk's Default (Doc. 9) is GRANTED; the service of process on defendant Hinks made on October 22, 2015 is QUASHED; plaintiff shall have forty-five (45) days from the entry of this order to properly serve defendant Paul Hinks.


UNITED STATES DISTRICT JUDGE